

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

ANGEL RIOS-ROSA,

Plaintiff,

v.

TYLER WOMACK,

Defendant,

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No. 1:23-CV-00194 SNLJ

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to proceed in forma pauperis on appeal. [ECF No. 8]. As discussed in the Memorandum and Order issued November 1, 2023, plaintiff has accumulated more than three "strikes" pursuant to 28 U.S.C. § 1915(g)¹, and he does not qualify for the imminent danger exception. Therefore, plaintiff may not proceed in forma pauperis on appeal. Also, when the Court dismissed this action, it stated that an appeal would not be taken in good faith. *See* ECF No. 3; 28 U.S.C. § 1915(a)(3). The motion is denied.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis on appeal [ECF No. 8] is **DENIED**.

IT IS FURTHER ORDERED that within thirty (30) days from the date of this Order, plaintiff shall pay to this Court the full \$505.00 filing fee for filing an appeal. Plaintiff is instructed to make his remittance payable to "Clerk, United States District Court," and to include upon it: (1)

¹*Rios-Rosa v. Reed*, No. 1:23-CV-00085 SNLJ (E.D.Mo.); *Rios-Rosa v. Armstrong*, No. 1:23-CV-00118 (E.D.Mo.); *Rios-Rosa v. Christenson, et al.*, No. 1:22-CV-145 SNLJ (E.D.Mo.).

his name; (2) his prison identification number; (3) the case number; and (4) that the remittance is for the appeal of the instant action.

IT IS FURTHER ORDERED that plaintiff shall file any future documents or pleadings in connection with his appeal directly with the United States Court of Appeals for the Eighth Circuit.

Dated this 21st day of December, 2023.

A handwritten signature in black ink, reading "Stephen N. Limbaugh, Jr.", is written over a horizontal line.

STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE